IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE ELEVENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 4784 of 2005

Between:

C.Ankaiah, S/o.Ampaish, Hindu
R/o.D.No.15/1710, Vijayanagar Colony, Tadipatri,

Ananthapur District.

..... PETITIONER

AND

1 The Depot Manager, APSRTC, Tadipatri Depot,

Tadipatri, Ananthapur District.
2 The Divisional Manager, APSRTC, Ananthapur Division

Ananthapur.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus or any other appropriate writ, declaring the proceedings No.01/118(7)/1998-TDP dt.29.3.2001 of the 1st respondent and proceedings No.TY/19(317)/2001-DVM-A Dt.28.9.2002 of the 2nd respondent as illegal, arbitrary and contrary to the regulations of the Corporation and in violation of Art.14 and 21 of the Constitution of India and consequentially direct the respondents to pay the salary of the petitioner by adding two annual increments and to pay the arrears and pass such other or further orders.

Counsel for the Petitioner: S.SURENDRA KUMAR

Counsel for the Respondent Nos.1 and 2: MR.P.VINAYAKA SWAMY

The Court at the admission stage made the following:

ORDER:

Declaring the proceedings No.01/118(7)/1998-TDP,

dated 29.03.2001 issued by the 1st respondent, and the proceedings No.TY./19(317)/2001-DVM-A, dated 28.09.2002, issued by the

2nd respondent, as illegal and arbitrary, the present writ petition is filed.

Admittedly, as against the orders of the 2nd respondent, a review lies before the Regional Manager. It is not the case of the petitioner that the impugned proceedings are issued in violation of principles of natural justice, and the authority, who passed the impugned proceedings, has no jurisdiction at all.

In view of the facts and circumstances of the case, I deem it appropriate to give a direction to the petitioner to file a review before the Regional Manager against the impugned proceedings. Since there is delay occurred in filing review petition, the Regional Manager is directed to consider the same sympathetically.

With the above observations, the Writ Petition is disposed of. No order as to costs.

ASSISTANT REGISTRAR

Dated: 11.03.2005

Dsr

To:

1. The Depot Manager,APSRTC,

Tadipatri Depot, Tadipatri,

Ananthapur District

2. The Divisional Manager, APSRTC,

Ananthapur Division, Ananthapur

3. Two CD copies

*Form-NIC-OGS/WP{**MPL**}*